

1 BILL NO. Z-83- 08-11

2 ZONING MAP ORDINANCE NO. Z-

12-83

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. M-6.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a Historical Preservation District under the terms of Chapter 33 of the
9 Code of the City of Fort Wayne, Indiana of 1974:

10 618 South Calhoun Street

11 All that part of Lots 77 and 78 in the Original Plat
12 of the Town (now City) of Fort Wayne, described as
13 follows:

14 Commencing at the Northeast corner of said Lot 77;
15 thence Westerly along the North line of said Lots 77
16 and 78, 100 feet; thence South parallel with the West
17 line of said Lot 77, 20 feet; thence East parallel
18 with the North line of said Lots 100 feet to the East
19 line of said Lot 77; thence North along the East line
20 of said Lot 77, 20 feet to the place of beginning.

21 620 South Calhoun Street

22 Commencing at a point 20 feet South of the Northeast corner
23 of Lot Numbered 77 on the Original Plat of the Town, now City
24 of Fort Wayne, Allen County, Indiana, thence South on the
25 East line of said Lot 77 along the West line of Calhoun Street
26 20 feet to a point; thence running West parallel with the North
27 line of Lots 77 and 78 of said Original Plat 120 feet to a point,
28 in the West line of said Lot 78, thence North along the West line
29 of said Lot 78, 40 feet to the Northwest corner of said Lot 78,
30 thence East on the North line of said Lot 78 being the South
31 line of the alley 20 feet to a point; thence South parallel
32 with the West line of Lot 78, 20 feet to a point; thence East
parallel with the North line of said Lots 78 and 77, 100 feet
to the point of beginning

and the symbols of the City of Fort Wayne, Zoning Map No. M-6, as established
by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
are hereby changed accordingly.

SECTION 2. That this ordinance shall be in full force and effect
from and after its passage and approval by the Mayor and the legal publication
thereof.

31
32
COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Stier,
seconded by GiaQuinta, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 8-9-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Stier,
seconded by GiaQuinta, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>.</u>	<u> </u>	<u> </u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCRUGGS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 9-12-83

Sandra E. Kennedy
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-12-83
on the 12th day of Sept., 1983.

ATTEST:

(SEAL)

Sandra E. Kennedy
CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 14th day of Sept., 1983, at the hour of
11:30 o'clock 9 M., E.S.T.

Sandra E. Kennedy
CITY CLERK

Approved and signed by me this 23rd day of Sept.
1983, at the hour of 2 o'clock 9 M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We ARDEN G. OBER, SR. and EMMA A. OBER
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
Indiana, by reclassifying from a/an B37 District to a/an HISTORIC
District the property described as follows: PRESERVATION
DISTRICT.

(Legal Description) If additional space is needed, use reverse side.

Legal description on reverse side

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

Arden G. Ober, Sr. 620 So. Calhoun St.

Arden G. Ober, Sr.

Emma A. Ober 620 So. Calhoun St.

Emma A. Ober

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Arden G. Ober, Sr.
(Name)

620 So. Calhoun St. - 46802
(Address & Zip Code)

(219)423-2588
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,
Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

618 SO. CALHOUN STREET

All that part of Lots 77 and 78 in the Original Plat of the Town (now City) of Fort Wayne, described as follows:

Commencing at the Northeast corner of said Lot 77; thence Westerly along the North line of said Lots 77 and 78, 100 feet; thence South parallel with the West line of said Lot 77, 20 feet; thence East parallel with the North line of said Lots 100 feet to the East line of said Lot 77; thence North along the East line of said Lot 77, 20 feet to the place of beginning.

620 SO. CALHOUN STREET

Commencing at a point 20 feet South of the North East corner of Lot numbered 77 on the Original Plat of the Town, now City of Fort Wayne, Allen County, Indiana, thence South on the East line of said lot 77 along the West line of Calhoun Street 20 feet to a point, thence running West parallel with the North line of Lots 77 and 78 of said Original Plat 120 feet to a point, in the West line of said Lot 78, thence North along the West line of said Lot 78, 40 feet to the North West corner of said Lot 78, thence East on the North line of said Lot 78 being the South line of the alley 20 feet to a point, thence South parallel with the West line of Lot 78, 20 feet to a point, thence East parallel with the North line of said Lots 78 and 77, 100 feet to the point of beginning.

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-08-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

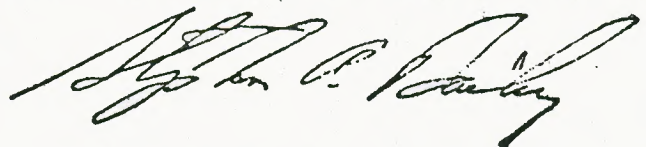
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community,
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantiall adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1983.

Certified and signed this
25th day of August 1983.



Stephen A. Bailey
Secretary

BILL NO. Z-83-08-11

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-6

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

Janet G. Bradbury
Victure Scruggs
Mark E. Giaquinta
Roy J. Schomburg

Concurred in 7-13 Sandra E. Kennedy

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

Nº 9000

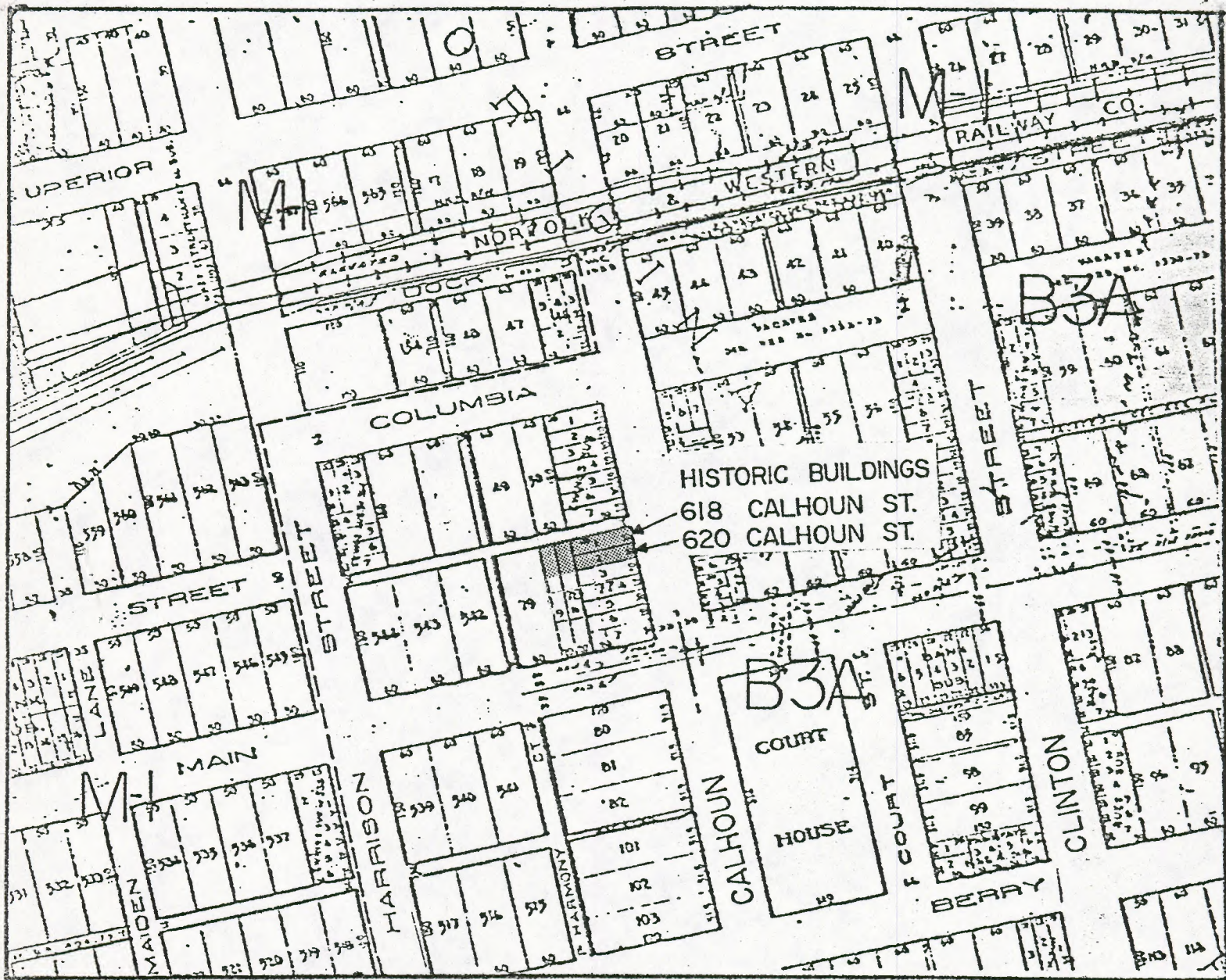
FT. WAYNE, IND., 6/20 1983


RECEIVED FROM Arden Ober \$ 50.00

THE SUM OF Fifty and 00/100 DOLLARS

ON ACCOUNT OF 620-1 Calhoun

CK 6048 Kezoning - Historical Dist.
Kathy Schaeffer
 AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM A B3A TO A HISTORIC PRESERVATION DISTRICT.

MAP NO. M-6

Z-83-08-11





THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-08-11
2. From: B-3-A to Historical Overlay District
3. Intended Use: Business Equipment
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The granting will not be injurious to the public health, safety, morals and general welfare of the community.

NOTE: This request is for an Overlay District. The property, even if the request is granted, will still be zoned B-3-A and as such all uses allowed in the B-3-A District will apply to the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Attachments



ORIGINAL

PROJECT SHEET

6384

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-83-08-11

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 618 & 620 South Calhoun Street

EFFECT OF PASSAGE Property is now zoned B-3-A - General Business District.

Property will become a Historic Preservation District.

EFFECT OF NON-PASSAGE Property will remain a B-3-A - General Business District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____